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| 10/803,457      | 03/17/2004  | Robert Jerdonek      | 020967-001200US     | 5494             |

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| EXAMINER |
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POLTORAK, PIOTR

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| ART UNIT | PAPER NUMBER |
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2134

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01/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                               |                                  |  |
|------------------------------|-------------------------------|----------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/803,457 | Applicant(s)<br>JERDONEK, ROBERT |  |
|                              | Examiner<br>Peter Poltorak    | Art Unit<br>2134                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant amendment received on 12/17/07 has been entered and new drawings submitted on 12/17/07 have been accepted.

### ***Response to Amendment***

2. As advised by applicant the examiner found mailing address for the inventor included in the Application Data Sheet filed with the application on March 17, 2004. As a result objection to Oath/Declaration is withdrawn.
3. In light of the amendments the 35 USC § 112 second paragraph rejection is withdrawn.
4. Applicant argues that audit databases on servers (e.g. key servers and resource servers) are not well known but does not offer any arguments to contrary. The examiner points to Smith reference cited in and submitted with the previous Office Action. As per additional limitation argued by applicant and referred to comparing events of a resource server audit database and key server audit database the examiner points to paragraph 6 of the previous Office Action. Additionally, applicant argues that Certification Revocation List is the not the same as a key server audit database. However, once again, applicant failed to provide any arguments to the contrary and, as a result, the arguments are found not persuasive.
5. Claims 1-12 have been examined.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

***Claim Rejections - 35 USC § 103***

6. Claims 1-3 and 5-12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Fegghi et al. (Jalal Fegghi, Jalil Fegghi, Peter Williams, "Digital Certificates Applied Internet Security, 1999, ISBN: 0201309807).

Fegghi discloses a resource server (IIS server), that provides access to resources to authorized users (introduction in "Secure Web Communications-Client Authentication", pg. 323 and details disclosed in "Enabling SSL Client Authentication" and "Mapping Client Certificates to User Accounts", pg. 331-333), wherein authorization of a user is determined, at least in part, by the user's possession of a secret key (certificates include secret keys, see pg. 66-68, for example), a key server, that provides access to a secret key by an authorized user ("Getting a Client Certificate from a CA", pg. 326-327")

7. Although Fegghi discloses a key server audit database (e.g. "Certificate Revocation Lists (CRLs)", pg. 74), Fegghi does not disclose a resource server audit database, and a usage analyzer that analyzes the key server audit database and the resource server audit database to compare events therein.

However, the use of audit database on resource servers is well known in the art of computer security (e.g. Smith) and it would have been obvious to one of ordinary

skill in the art at the time of applicant's invention to implement audit database on resource servers given the benefit of increased security.

Also, comparing suspicious events in the resource server audit database with the key server audit database would have been obvious to an ordinary artisan in the art of computer security, given the benefit of security (the key server audit database provides additional security information regarding the secret keys, in particular whether the keys are valid, see "Certificate Revocation Lists (CRLs)", pg. 74-76).

8. As per claims 2 and 3, even though, it is clear that the key server disclosed by Fegghi is an application server (CA server) and the resource server is a transaction server (IIS server), the examiner points out that the limitation as cited attempt to simply limit the limitation by providing a specific name to particular components. However, a particular naming of the components would not affect the functionality of Fegghi's invention.
9. As per claim 5-9, the limitations are obvious variation of security policies well known in the art (secure events are time and frequency sensitive (*Kerberos, Windows Log in etc.*), access restriction limitation based on source/destination address (*e.g. commonly implemented in firewalls*)). Thus implementing a particular security features recited in claims 5-9 would have been an obvious variation well known in the art. One would have been motivated to use them especially in light of the benefits of these security features as evidenced by their commercial success.
10. As per claim 10, the examiner points out that, there are inherently two obvious choices of performing any actions, in real-time and not in real-time, wherein each

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option is an obvious variation of another. Furthermore, the real-time responses are well known in the art of computer science and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to analyze and compare audit database record in real-time given the benefit of computer efficiency (note that most of the logs are created in real-time).

11. The limitations of claim 11 are implicit: any security violation would trigger disablement of an access that is based on the secret key.

12. As per claim 12, any comparison of logs discussed above must involve two computers and the examiner points out that the placement of a usage analyzer (on the key server or key client) would have been an obvious variation not affecting functionality of Fegghi's invention. Additionally, the examiner points out that a client (e.g. a resource server) requesting a server (a key server) to process data (validate the secret key) is a standard feature in the client/server environment.

### ***Conclusion***

Claim 4 overcame the art of record.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is (571) 272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

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1/11/08  
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KAMBIZ ZAND  
SUPERVISORY PATENT EXAMINER